

Louisiana Department of Public Safety and Corrections
PUBLIC SAFETY SERVICES



Louisiana Oil Spill Coordinator's Office

P. O. Box 66614
Baton Rouge, LA 70896
225-925-6606

September 27, 2010

Brian D. Israel
Arnold & Porter LLP
555 12th Street, NW
Washington, D.C. 20004-1206
On behalf of:
BP Exploration & Production, Inc.

James J. Dragna
Bingham McCutchen
355 South Grand Avenue, Suite 4400
Los Angeles, CA 90071-3106
On behalf of:
Anadarko Petroleum Corp.
Anadarko E&P Company, LP
MOEX Offshore 2007 LLC

Kerry J. Miller
Frilot LLC
1100 Poydras Street, Suite 3700
New Orleans, LA 70163
On behalf of:
Transocean Holdings LLC
Transocean Deepwater Inc.
Transocean Offshore Deepwater Drilling Inc.
Triton Asset Leasing GmbH

Re: State of Louisiana's Invitation to Participate in Natural Resource Damage Assessment and Notice of Intent to Conduct Restoration Planning for the *Deepwater Horizon* Oil Spill.

Dear Counsel:

I have prepared this letter on behalf of the agencies of the State of Louisiana with public trust responsibilities for natural resources injured and threatened by the above referenced spill ("the Louisiana Trustees"). The Louisiana Trustees include the Louisiana Coastal Protection and Restoration Authority (Lead Trustee), the Louisiana Oil Spill Coordinator's Office (Lead

Administrative Trustee), the Louisiana Department of Wildlife and Fisheries, the Louisiana Department of Environmental Quality and the Louisiana Department of Natural Resources.

As you are aware, the Louisiana Trustees are participants in the Natural Resource Damages Assessment ("NRDA") currently being conducted by the trustees for the United States and the States of Texas, Louisiana, Mississippi, Alabama and Florida. Simultaneous with the transmittal of this letter and under separate cover, a joint letter on behalf of the federal and state trustees is being sent to you, along with a copy of the enclosed Notice of Intent to Conduct Restoration Planning, inviting your clients' organizations to participate in that joint NRDA. The Louisiana Trustees have joined in that invitation. A copy of the joint invitation letter and Notice of Intent are enclosed and incorporated herein by this reference.

Louisiana Revised Statute 30:2480 and Title 43 of the Louisiana Administrative Code, Section 115, direct the Louisiana Trustees to invite potentially responsible parties to participate in the NRDA process. As your clients' organizations have been identified as Responsible Parties for this spill, the Louisiana Trustees hereby further invite your participation in the NRDA process. This invitation to identified RPs is made without prejudice to the Louisiana Trustees' ability to include or proceed against any additional parties who may have responsibility and/or liability associated with the Deepwater Horizon Oil Spill and associated response activities under any state or federal laws.

The Louisiana Trustees note that they may engage in NRDA processes that are specific to the State of Louisiana. Those Louisiana-specific processes will be conducted pursuant to the federal Oil Pollution Act (33 U.S.C. § 2701 *et seq.*) ("OPA") and/or the Louisiana Oil Spill Prevention and Response Act (La. Rev. Stat. 30:2452 *et seq.*) ("OSPRA"). You are hereby invited to participate in those processes, to the extent they are undertaken.

We further note that, pursuant to Louisiana Administrative Code Title 43, Section 115, the nature and extent of RP participation in the NRDA is at the sole discretion of the Louisiana Trustees. Furthermore, should the Louisiana Trustees determine that the participation of any RP is interfering with, or unreasonably delaying, the Louisiana Trustees' ability to fulfill their responsibilities to the public, OSPRA sets forth a procedure through which Responsible Parties' participation in the NRDA can be terminated.

Please respond to this invitation in writing on your clients' behalf to the undersigned within 30 days of the date of this letter. If you fail to do so, the Louisiana Trustees will assume that your client's organization has declined this invitation and does not intend to participate in the NRDA.

Sincerely,



Stephanie C. Morris
Special Counsel
Louisiana Oil Spill Coordinator's Office

CC: Garret Graves, *Louisiana Coastal Protection and Restoration Authority Chair*
Roland Guidry, *Louisiana Oil Spill Coordinator's Office, Department of Public Safety & Corrections/Public Safety Services, Coordinator of Louisiana Oil Spill Coordinator's Office*
Peggy Hatch, *Louisiana Department of Environmental Quality, Secretary*
Bob Harper, *Louisiana Department of Natural Resources, Secretary*
Robert Barham, *Louisiana Department of Wildlife and Fisheries, Secretary*

Enclosures (2): Notice of Intent
State and Federal Trustees' Joint Letter